

Appl. No 10/614,261
Amdt. Dated Oct 7, 2006
Reply to Office Action of April 7, 2006

REMARKS

A. Status of the Claims

Claims 1-25 are currently pending. Claims 3, 6, 13, 16, and 17 have been canceled. Claims 1, 12, and 14 have been amended in response to Examiner's rejection. Claims 4, 5, 9, and 15 remain unchanged. Reconsideration and further examination are respectfully requested.

B. The 35 U.S.C. § 112 Rejection

The Examiner has rejected claims 1 and 12 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has corrected these errors by amending claims 1 and 12. Applicant respectfully request that the § 112 rejection of the amended claims 1 and 12 be withdrawn. Favorable reconsideration is requested.

C. The 35 U.S.C. § 102 Rejection

The Examiner has rejected claims 1, 3-6, 9, 12-15, and 17 under 35 U.S.C. § 103(a) as being unpatentable over Zimmerman in view of Pelosi in further view of Hunter et al. Applicant respectfully traverses the rejection of these claims.

With regard to claim 1, it would not have been obvious at the time of invention to modify Zimmerman and Pelosi with the teachings of Hunter as Hunter does not teach the use of a laser speckle generator for directing the motion of a computer cursor marker. Rather, Hunter teaches the projecting of the laser speckle onto an object so that cameras can capture this speckle pattern and eventually obtain a three dimensional characterization of the surface. The Applicant's invention is the novel idea of directly using the laser speckle pattern movement over a two dimensional sensor array to detect movement of the user's head and then translating this to actions to cursor movement on a computer terminal. To derive the present invention from the

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teachings of Zimmerman, Pelosi, and Hunter would have required the exercise of exceptional inventive skill. Voice commands and its hardware requirements has been deleted from claim 1.

With regard to claims 3 and 17, applicant is no longer claiming voice command control and therefore claims 3 and 17 have been deleted.

With regard to claim 4, claim 4 now depends on amended claim 1.

With regard to claim 5, neither Zimmerman nor Hunter mention or teach creating a speckle pattern by projecting a beam into a fiber optic bundle or holographic plate. Hunter merely mentions the creation of the speckle pattern by coupling a laser to an optical fiber and not a bundle. Most optical fibers are not bundles but rather single element fibers, either single mode (about 5 micron core size) or multi-mode (roughly 250 micron core.) Applicant's invention discloses the creation of the speckle pattern by projecting through a bundle of fibers.

With regard to claim 6, applicant is no longer claiming voice command control and therefore claim 6 has been deleted.

With regard to claim 13, applicant is no longer claiming voice command control and therefore claim 13 has been deleted.

With regard to claims 14 and 15, claim 14 has been amended to eliminate the voice command control and its hardware components. The same arguments used for claim 1 apply to claim 14. Claim 15 now depends on an amended claim 14.

With regard to claim 9, that is the invention using Agilent Technologies's solid-state optical mouse sensor in combination with a laser speckle pattern to control a computer. The combination of Zimmerman, Pelosi and Hunter was not and is not obvious to incorporate the teachings of Agilent Technologies. Agilent Technologies does not teach the use of its sensor to detect movement of a laser speckle pattern directed there onto.

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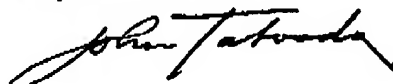
With regard to claim 16, claim 16 has been canceled.

For the foregoing reasons, Applicant respectfully request that the § 102 rejection of the amended claims 1, 12, and 14, previously presented claim 9, and original claims 4, 5, and 15 be withdrawn. Favorable reconsideration is requested.

X. Conclusion

In view of the above remarks, Applicant respectfully submits that all pending claims are in condition for allowance. Reconsideration of the application and claims is courteously solicited. Should the Examiner have any questions, comments or suggestions relating to the present patent application, the Examiner is invited to contact me at (210) 224-8876.

Respectfully submitted,



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